



U.S. Equal Employment Opportunity Commission

Other Employment and Civil Rights Laws Not Enforced by the EEOC

The EEOC does not enforce the following laws prohibiting discrimination or regulating other employment-related issues.

Section 1981 of the Civil Rights Act of 1866

(<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter21&edition=prelim>)

Section 1981, which is codified at 42 U.S.C. 1981, protects the equal right of all persons to make and enforce contracts without respect to race. The law covers all contractual aspects of the employment relationship, such as hiring, discharge, and the terms and conditions of employment, and protects against retaliation. It applies to all private employers and labor organizations, but not federal, state, or local government employers. Section 1981 is enforced by individuals, not a federal agency.

National Labor Relations Act (NLRA) of 1935

(<https://www.nlr.gov/guidance/key-reference-materials/national-labor-relations-act>)

The NLRA protects workers who wish to form, join, or support unions, or who are already represented by unions, and workers who join together as a group (two or more employees) without a union seeking to modify their wages or working conditions. For more information, contact the **National Labor Relations Board** (<https://www.nlr.gov/>).

Social Security Act (SSA) of 1935 (https://www.ssa.gov/OP_Home/ssact/ssact-toc.htm)

The SSA established Social Security Disability Insurance (SSDI) for certain individuals with severe disabilities who can no longer work, using a different definition of disability than that used in the ADA. For more information, contact the U.S. **Social Security Administration** (<https://www.ssa.gov/disability/>).

Fair Labor Standards Act (FLSA) of 1938

(<https://www.govinfo.gov/content/pkg/USCODE-2011-title29/html/USCODE-2011-title29-chap8.htm>)

The FLSA provides workers with minimum wage, overtime pay, and child labor protections, covering most, but not all, private and public sector employees.

The **Equal Pay Act** (<https://www.eeoc.gov/statutes/equal-pay-act-1963>), which is enforced by the EEOC, was created as an amendment to the FLSA in 1963. For more information, contact the **Wage and Hour Division** (<https://www.dol.gov/agencies/whd>) of the U.S. Department of Labor.

Title VI of the Civil Rights Act of 1964

(<https://www.dol.gov/agencies/oasam/regulatory/statutes/title-vi-civil-rights-act-of-1964>)

Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives federal funds or federal financial assistance, including employment. For more information, contact the **Federal Coordination and Compliance Section** (<https://www.justice.gov/crt/federal-coordination-and-compliance-section>) in the U.S. Department of Justice's Civil Rights Division.

Occupational Safety and Health Act (OSH Act) of 1970

(<https://www.osha.gov/laws-regs/oshact/completeoshact>)

This law sets out safety requirements for workplaces. The **Occupational Safety and Health Administration** (<https://www.osha.gov/>) in the U.S. Department of Labor works with states to investigate and enforce OSHA requirements.

Title IX of the Education Amendments of 1972

(<https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/statutes/title-ix>)

Title IX prohibits sex discrimination in any education program or activity receiving federal financial assistance, including employment. For more information, contact the **Office for Civil Rights (OCR)** (<https://www.ed.gov/about/ed-offices/ocr>) at the U.S. Department of Education.

Civil Service Reform Act (CSRA) of 1978 (<https://www.congress.gov/bill/95th-congress/senate-bill/2640>)

The CSRA prohibits discrimination against federal job applicants or employees on the bases of race, color, national origin, religion, sex, age, or disability, as well as marital status and political association. It also prohibits retaliation. The CSRA led to the creation of four federal agencies: the **Merit Systems Protection Board (MSPB)** (<https://www.mspb.gov/index.htm>) handles employee appeals regarding prohibited personnel practices; the **Office of Special Counsel (OSC)** (<https://osc.gov/>) investigates allegations of prohibited personnel practices, prosecutes violators of civil service rules, and enforces the Hatch Act; the **Federal Labor Relations Authority (FLRA)** (<https://www.flra.gov/>) oversees federal labor-management relations (for non-postal employees); and the **Office of Personnel Management (OPM)** (<https://www.opm.gov/>) manages the federal work force.

Antidiscrimination Provision of the Immigration Reform and Control Act (IRCA) of 1986 (<https://www.justice.gov/crt/8-usc-1324b-unfair-immigration-related-employment-practices>)

This law prohibits citizenship status and national origin discrimination with respect to hiring, firing, or recruitment or referral for a fee, and unfair documentary practices during the employment eligibility verification process. For more information, contact the **Immigrant and Employee Rights Section (IER)** (<https://www.justice.gov/crt/immigrant-and-employee-rights-section>) of the U.S. Department of Justice's Civil Rights Division.

Title II of the Americans with Disabilities Act (ADA) of 1990 (<https://www.ada.gov/law-and-regs/ada/#subchapter-ii---public-services-title-ii>)

This law makes it illegal to discriminate against people with disabilities in all programs, activities, and services offered by state and local government agencies, including employment practices. For employment-related matters, the EEOC's ADA Title I regulations apply to Title II entities. For more information, contact the **Disability Rights Section** (<https://www.ada.gov/>) of the U.S. Department of Justice's Civil Rights Division.

Family and Medical Leave Act (FMLA) of 1993 (<https://uscode.house.gov/view.xhtml?path=/prelim@title29/chapter28&edition=prelim>)

The FMLA entitles certain employees to take up to 12 weeks of unpaid, job-

protected leave during a 12-month period because of a "serious health condition" that they or someone in their family is experiencing. Certain other employees caring for a family member who is a covered servicemember with a serious injury or illness may be eligible for up to 26 weeks of leave. FMLA leave can sometimes overlap with Title VII and/or ADA and Rehabilitation Act requirements. For more information, contact the **Wage and Hour Division** (<https://www.dol.gov/agencies/whd/fmla>) of the U.S. Department of Labor.

Workforce Investment Act (WIA) of 1998

(<https://www.govinfo.gov/content/pkg/PLAW-105publ220/pdf/PLAW-105publ220.pdf>)

The WIA was enacted to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States. It is enforced by the **Employment and Training Administration** (<https://www.dol.gov/agencies/eta>) of the Department of Labor.

Title I of the Genetic Information Nondiscrimination Act (GINA) of 2008

(<https://www.congress.gov/bill/110th-congress/house-bill/493>)

Title I of GINA prohibits discrimination in group health plan coverage based on genetic information. Title I is enforced by three different federal agencies. For more information, contact the **Employee Benefits Security Administration (EBSA)** (<https://www.dol.gov/agencies/ebsa>) at the U.S. Department of Labor or the **Office of Civil Rights (OCR)** (<https://www.hhs.gov/ocr/index.html>) at the U.S. Department of Health and Human Services.

Workers Compensation Laws

Workers compensation (<https://www.usa.gov/workers-compensation>) may provide cash benefits or medical care for workers who suffer an injury or become ill due to their workplace. Each **state has a workers' compensation program** (<https://www.dol.gov/agencies/owcp/wc>). In addition, the federal government administers four major disability compensation programs for federal workers (or their dependents) or other specific groups who are injured at work or who acquire an occupational disease. These programs typically provide compensation for on-the-job injuries and illnesses and may provide medical treatment, vocational rehabilitation, and other benefits. Some programs require employers to provide job modifications, which also may be ADA reasonable accommodations. For more information about federal workers compensation programs, contact the **Office of**

Workers' Compensation Programs (OWCP)

(<https://www.dol.gov/agencies/owcp>) at the U.S. Department of Labor.